Response to Notice of Non-Compliant Amendment Appl. No. 10/672,144

Tamarkin et al.

33. (Previously Presented) A method of treating a human or animal with cancer or an

immune disease comprising administering to the human or animal a composition comprising two

or more biologically-active factors admixed with or bound to a colloidal metal, wherein at least

one of the biologically-active factors is a target molecule capable of binding a receptor on a cell

membrane.

34. (Previously Presented) The method of Claim 33 wherein the biologically active

factor is selected from the group consisting of Interleukin-1a ("IL-1a"), Interleukin-1B ("IL-1B"),

Interleukin-2 ("IL-2"), Interleukin-3 ("IL-3"), Interleukin-4 ("IL-4"), Interleukin-5 ("IL-5"),

Interleukin-6 ("IL-6"), Interleukin-7 ("IL-7"), Interleukin-8 ("IL-8"), Interleukin-9 ("IL-9"),

Interleukin-10 ("IL-10"), Interleukin-11 ("IL-11"), Interleukin-12 ("IL-12"), Interleukin-13 ("IL-

13"), lipid A, phospholipase A2, endotoxins, staphylococcal enterotoxin B, Type I Interferon,

Type II Interferon, Migration Inhibition Factor, Granulocyte-Macrophage Colony-Stimulating

Factor ("CSF"), Monocyte-Macrophage CSF, Granulocyte CSF, vascular epithelial growth factor

("VEGF"), Angiogenin, transforming growth factor alpha ("TGFa"), transforming growth factor

beta ("TGFB"), heat shock proteins, carbohydrate moieties of blood groups, RH factors,

fibroblast growth factor, chemotherapeutic drugs, AZT, nucleotides, DNA, RNA, sense,

anitsense, cancer, cell specific antigens, hormones, antibodies, and immunotherapeutic drugs.

35. (Previously Presented) The method of Claim 33 wherein the target molecule is

selected from the group consisting of Interleukin-1 ("IL-1"), Interleukin-2 ("IL-2"), Interleukin-3

("IL-3"), Interleukin-4 ("IL-4"), Interleukin-5 ("IL-5"), Interleukin-6 ("IL-6"), Interleukin-7

("IL-7"), Interleukin-8 ("IL-8"), Interleukin-10 ("IL-10"), Interleukin-11 ("IL-11"), Interleukin-

12 ("IL-12"), Interleukin-13 ("IL-13"), Type I Interferon, Type II Interferon, Tumor Necrosis

Factor ("TNFa"), Transforming Growth Factor- \(\beta \) ("TGF\(\beta \)"), vascular epithelial growth factor

("VEGF"), receptor proteins, glucose, glycogen, phospholipids, monoclonal and/or polyclonal

antibodies, and transforming growth factor ("TGFa").

Page 4 of 5

5141624.1

REMARKS

This amendment is responsive to the Notice of Non-Compliant Amendment mailed May

16, 2008. Claims 1-26 were missing from the Listing of Claims in the Response filed April 17,

2008. A corrected Listing of Claims section providing the status of claims 1-26 in compliance

with 37 C.F.R. § 1.121 is submitted herewith. No new matter is added.

CONCLUSION

The foregoing is submitted as a full and complete response to the Notice of Non-

Compliant Amendment mailed May 16, 2008, and early and favorable consideration of the

claims is requested. If the Examiner believes any informalities remain in the application that

may be corrected by Examiner's amendment, or there are any other issues which can be resolved

by telephone interview, a telephone call to the undersigned agent at (404) 572-2447 is

respectfully solicited.

No further fees are believed to be due in connection with this response. However, the

Commissioner is hereby authorized to charge any underpayment or credit any overpayment of

fees to Deposit Account No. 11-0980.

Respectfully submitted,

/F. BRENT NIX/

F. Brent Nix Reg. No. 59,004

KING & SPALDING LLP

1180 Peachtree Street, N.E.

Atlanta, Georgia 30309-3521

Telephone (404) 572-4600

Facsimile (404) 572-5134

Page 5 of 5

5141624.1